

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

SEAN M. DONAHUE,

Plaintiff

v.

RISTOWSKI, ET AL.,

Defendants

CIVIL ACTION NO. 3:13-CV-1327

(JUDGE NEALON)

(MAGISTRATE JUDGE BLEWITT)

FILED
SCRANTON

JUL 30 2013

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DEPUTY CLERK

ORDER

NOW, THIS <sup>30th DAY OF JULY, 2013, for the reasons set forth in the Memorandum
issued this date, **IT IS HEREBY ORDERED THAT:**</sup>

1. The Report and Recommendation, (Doc. 9), is **ADOPTED**:
 - A. The Complaint, (Doc. 1), is **DISMISSED** with prejudice;
 - B. Plaintiff's motion for leave to proceed in forma pauperis, (Doc. 4), is **GRANTED** for the sole purpose of filing this action;
2. Plaintiff's motion to appoint counsel, (Doc. 10), is **DENIED**;
3. The Clerk of Court is directed to **CLOSE** this case; and
4. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith.


United States District Judge